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Director



NORTH CAROLINA
Environmental Quality

TBD

Mr. Adam Long
Director, Gas Pipeline Operations
Piedmont Natural Gas, Inc.
4720 Piedmont Row Drive, PNG 08B
Charlotte, North Carolina 28210

SUBJECT: Air Quality Permit No. 10097T02
Facility ID: 0400056
Piedmont Natural Gas – Wadesboro Compressor Station
Wadesboro, Anson County
Fee Class: Title V
PSD Class: Minor

Dear Mr. Long:

In accordance with your completed Air Quality Permit Application for renewal of a Title V permit, received December 3, 2018, we are forwarding herewith Air Quality Permit No. 10097T02 to Piedmont Natural Gas, 259 Pleasant Grove Church Road, Wadesboro, North Carolina authorizing the construction and operation, of the emission source(s) and associated air pollution control device(s) specified herein. Additionally, any emissions activities determined from your Air Quality Permit Application as being insignificant per 15A North Carolina Administrative Code 02Q .0503(8) have been listed for informational purposes as an "ATTACHMENT." Please note the requirements for the annual compliance certification are contained in General Condition P in Section 3. The current owner is responsible for submitting a compliance certification for the entire year regardless of who owned the facility during the year.

As the designated responsible official it is your responsibility to review, understand, and abide by all of the terms and conditions of the attached permit. It is also your responsibility to ensure that any person who operates any emission source and associated air pollution control device subject to any term or condition of the attached permit reviews, understands, and abides by the condition(s) of the attached permit that are applicable to that particular emission source.

If any parts, requirements, or limitations contained in this Air Quality Permit are unacceptable to you, you have the right to request a formal adjudicatory hearing within 30 days following receipt of this permit, identifying the specific issues to be contested. This hearing request must be in the form of a written petition, conforming to NCGS (North Carolina General Statutes) 150B-23, and filed with both the Office of Administrative Hearings, 6714 Mail Service Center, Raleigh, North Carolina 27699-6714 and the Division of Air Quality, Permitting Section, 1641 Mail Service Center, Raleigh, North Carolina 27699-1641. The form for requesting a formal adjudicatory hearing may be obtained upon request from the Office of Administrative Hearings. Please note that this permit will be stayed in its entirety upon receipt of the request for a hearing. Unless a request for a hearing is made pursuant to NCGS 150B-23, this Air Quality Permit shall be final and binding 30 days after issuance.

You may request modification of your Air Quality Permit through informal means pursuant to NCGS



North Carolina Department of Environmental Quality | Division of Air Quality
217 West Jones Street | 1641 Mail Service Center | Raleigh, North Carolina 27699-1641
919.707.8400

Mr. Adam Long

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150B-22. This request must be submitted in writing to the Director and must identify the specific provisions or issues for which the modification is sought. Please note that this Air Quality Permit will become final and binding regardless of a request for informal modification unless a request for a hearing is also made under NCGS 150B-23.

The construction of new air pollution emission source(s) and associated air pollution control device(s), or modifications to the emission source(s) and air pollution control device(s) described in this permit must be covered under an Air Quality Permit issued by the Division of Air Quality prior to construction unless the Permittee has fulfilled the requirements of NCGS 143-215-108A(b) and received written approval from the Director of the Division of Air Quality to commence construction. Failure to receive an Air Quality Permit or written approval prior to commencing construction is a violation of NCGS 143-215.108A and may subject the Permittee to civil or criminal penalties as described in NCGS 143-215.114A and 143-215.114B.

Anson County has not triggered PSD Increment Tracking for any pollutants. This permit renewal is not expected to consume or expand any increments for any pollutants.

This Air Quality Permit shall be effective from TBD until TBD + 5 years, is nontransferable to future owners and operators, and shall be subject to the conditions and limitations as specified therein. Should you have any questions concerning this matter, please contact Russell Braswell at russell.braswell@ncdenr.gov or 919-707-8731.

Sincerely yours,

William D. Willets, P.E., Chief, Permitting Section
Division of Air Quality, NCDEQ

Enclosure

c: Heather Ceron, EPA Region 4 (with review)
Connie Horne (cover letter only)
Fayetteville Regional Office
Central Files

ATTACHMENT to Air Quality Permit 10097T02
Piedmont Natural Gas – Wadesboro Compressor Station

Insignificant Activities per 15A NCAC 02Q .0503(8)

Emission Source ID No.	Emission Source Description
I-1	blowdown operations
I-2	miscellaneous storage tanks for lube oil, antifreeze, etc.

1. Because an activity is insignificant does not mean that the activity is exempted from an applicable requirement or that the Permittee is exempted from demonstrating compliance with any applicable requirement.
2. When applicable, emissions from stationary source activities identified above shall be included in determining compliance with the permit requirements for toxic air pollutants under 15A NCAC 02D .1100 “Control of Toxic Air Pollutants” or 02Q .0711 “Emission Rates Requiring a Permit.”
3. For additional information regarding the applicability of MACT or GACT see the DAQ page titled “Specific Permit Conditions Regulatory Guide.” The link to this site is as follows:
<http://deq.nc.gov/about/divisions/air-quality/air-quality-permits/specific-permit-conditions-regulatory-guide>

Summary of Changes to Permit

The following changes were made to Air Permit No. 10097T01:

Page No.*	Section*	Description of Changes
n/a	Throughout	<ul style="list-style-type: none">• Updated dates/permit numbers.• Fixed formatting.• Updated mailing address and Authorized Official.• Removed references to 02D .0501(c) because the Permittee has no specific requirements under this rule.
n/a	List of Insignificant Activities	<ul style="list-style-type: none">• Added I-1 and I-2 at applicant's request.
3	1.	<ul style="list-style-type: none">• Noted that EG01 is subject to NSPS Subpart JJJJ.
5	2.1 A.3	<ul style="list-style-type: none">• Added updated condition for NSPS Subpart JJJJ (moved from former Section 2.2 B.2).
10	2.1 B.3	<ul style="list-style-type: none">• Added updated condition for NSPS Subpart JJJJ (moved from former Section 2.2 B.2).
n/a	2.2 A.2 (former)	<ul style="list-style-type: none">• Removed this condition for NSPS Subpart JJJJ because it has been moved to Section 2.1 A.3 and B.3.
16	3.	<ul style="list-style-type: none">• Updated General Conditions to v5.3.

* This refers to the current permit unless otherwise stated.



AIR QUALITY PERMIT

Permit No.	Replaces Permit No.(s)	Effective Date	Expiration Date
10097T02	10097T01	TBD	TBD + 5 years

Until such time as this permit expires or is modified or revoked, the below named Permittee is permitted to construct and operate the emission source(s) and associated air pollution control device(s) specified herein, in accordance with the terms, conditions, and limitations within this permit. This permit is issued under the provisions of Article 21B of Chapter 143, General Statutes of North Carolina as amended, and Title 15A North Carolina Administrative Codes (15A NCAC), Subchapters 02D and 02Q, and other applicable Laws.

Pursuant to Title 15A NCAC, Subchapter 02Q, the Permittee shall not construct, operate, or modify any emission source(s) or air pollution control device(s) without having first submitted a complete Air Quality Permit Application to the permitting authority and received an Air Quality Permit, except as provided in this permit.

Permittee: **Piedmont Natural Gas-Wadesboro Compressor Station**

Facility ID: **0400056**

Facility Site Location: **259 Pleasant Grove Church Road**
City, County, State, Zip: **Wadesboro, Anson County, North Carolina, 28027**

Mailing Address: **4720 Piedmont Row Drive, PNG 08B**
City, State, Zip: **Charlotte, North Carolina, 28210**

Application Number: **0400056.18A**
Complete Application Date: **December 3, 2018**

Primary SIC Code: **4923**
Division of Air Quality, **Fayetteville Regional Office**
Regional Office Address: **Systel Building, 225 Green Street, Suite 714**
Fayetteville, North Carolina, 28301

Permit issued this the TBD.

William D. Willets, P.E., Chief, Air Permitting Section
By Authority of the Environmental Management Commission

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ATTACHMENT

List of Acronyms

DRAFT

SECTION 1- PERMITTED EMISSION SOURCE(S) AND ASSOCIATED AIR POLLUTION CONTROL DEVICE(S) AND APPURTENANCES

The following table contains a summary of all permitted emission sources and associated air pollution control devices and appurtenances:

Page No(s).	Emission Source ID No.	Emission Source Description	Control Device ID No.	Control Device Description
4-8, 14-15	COMP01 NSPS, JJJJ; GACT, ZZZZ	One four-stroke lean-burn natural gas-fired reciprocating internal combustion engine (4,735 horsepower rating) powering a compressor	COMP01C	Catalytic oxidizer (at least 24.0 cubic feet of oxidation catalyst)
	COMP02 NSPS, JJJJ; GACT, ZZZZ	One four-stroke lean-burn natural gas-fired reciprocating internal combustion engine (4,735 horsepower rating) powering a compressor	COMP02C	Catalytic oxidizer (at least 24.0 cubic feet of oxidation catalyst)
	COMP03 NSPS, JJJJ; GACT, ZZZZ	One four-stroke lean-burn natural gas-fired reciprocating internal combustion engine (4,735 horsepower rating) powering a compressor	COMP03C	Catalytic oxidizer (at least 24.0 cubic feet of oxidation catalyst)
	COMP04 NSPS, JJJJ; GACT, ZZZZ	One four-stroke lean-burn natural gas-fired reciprocating internal combustion engine (4,735 horsepower rating) powering a compressor	COMP04C	Catalytic oxidizer (at least 24.0 cubic feet of oxidation catalyst)
	COMP05 NSPS, JJJJ; GACT, ZZZZ	One four-stroke lean-burn natural gas-fired reciprocating internal combustion engine (4,735 horsepower rating) powering a compressor	COMP05C	Catalytic oxidizer (at least 24.0 cubic feet of oxidation catalyst)
	COMP06 NSPS, JJJJ; GACT, ZZZZ	One four-stroke lean-burn natural gas-fired reciprocating internal combustion engine (4,735 horsepower rating) powering a compressor	COMP06C	Catalytic oxidizer (at least 24.0 cubic feet of oxidation catalyst)
	COMP07 NSPS, JJJJ; GACT, ZZZZ	One four-stroke lean-burn natural gas-fired reciprocating internal combustion engine (4,735 horsepower rating) powering a compressor	COMP07C	Catalytic oxidizer (at least 24.0 cubic feet of oxidation catalyst)
	COMP08 NSPS, JJJJ; GACT, ZZZZ	One four-stroke lean-burn natural gas-fired reciprocating internal combustion engine (4,735 horsepower rating) powering a compressor	COMP08C	Catalytic oxidizer (at least 24.0 cubic feet of oxidation catalyst)
9-15	EG01 NSPS, JJJJ; MACT, ZZZZ	One four-stroke lean-burn natural gas-fired emergency generator (880 horsepower maximum rating)	N/A	N/A

SECTION 2- SPECIFIC LIMITATIONS AND CONDITIONS

2.1- Emission Source(s) and Control Device(s) Specific Limitations and Conditions

The emission source(s) and associated air pollution control device(s) and appurtenances listed below are subject to the following specific terms, conditions, and limitations, including the testing, monitoring, recordkeeping, and reporting requirements as specified herein:

- A. Eight (8) four-stroke lean-burn natural gas-fired reciprocating internal combustion engines powering eight compressors (ID Nos. COMP01 through COMP08) each equipped with a catalytic oxidizer (ID Nos. COMP01C through COMP08C)**

The following table provides a summary of limits and standards for the emission source(s) describe above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 02D .0516
Visible emissions	20 percent opacity when averaged over a six-minute period	15A NCAC 02D .0521
Nitrogen oxides Volatile organic compounds Carbon monoxide	See Section 2.1 A.3.	15A NCAC 02D .0524 40 CFR Part 60, Subpart JJJJ
Nitrogen oxides	125 parts per million by volume	15A NCAC 02D .1423
Carbon Monoxide (formaldehyde surrogate)	See Section 2.2 A.1	15A NCAC 02D .1111 40 CFR Part 63, Subpart ZZZZ
HAPs	See Section 2.2 A.2	15A NCAC 02Q .0317 (HAP-Major Avoidance)

1. 15A NCAC 02D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from the 4SLB engines (**ID Nos. COMP01 through COMP08**) shall not exceed 2.3 pounds per million Btu heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

Testing [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.1.a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516.

Monitoring/Recordkeeping/Reporting [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for sulfur dioxide emissions from the firing of natural gas in the engines.

2. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from the 4SLB engines (**ID Nos. COMP01 through COMP08**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

Testing [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 A.2.a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

Monitoring/Recordkeeping/Reporting [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for visible emissions from the firing of natural gas in the engines.

3. 15A NCAC 02D .0524: NEW SOURCE PERFORMANCE STANDARDS (40 CFR Part 60, Subpart JJJJ)

Applicability [15A NCAC 2Q .0508(f), 40 CFR 60.4230(a)(4)(i)]

- a. For each subject spark-ignition internal combustion engine (SI ICE; **ID Nos. COMP01 through COMP08**), the Permittee shall comply with all applicable provisions, including the requirements for emission standards, notification, testing, reporting, recordkeeping, and monitoring, contained in Environmental Management Commission Standard 15A NCAC 02D .0524 "New Source Performance Standards" as promulgated in 40 CFR Part 60 Subpart JJJJ "Standards of Performance for Stationary Spark Ignition Internal Combustion Engines," including Subpart A "General Provisions."

General Provisions [15A NCAC 02Q .0508(f)]

- b. Pursuant to §60.4246, The Permittee shall comply with the General Provisions of 40 CFR 60 Subpart A as presented in Table 3 of 40 CFR 60 Subpart JJJJ.

Emission Standards [15A NCAC 02Q .0508(f)]

- c. For each SI ICE, the Permittee shall comply with each relevant emission limit in Table 1 to 40 CFR Part 60, Subpart JJJJ: [40 CFR 60.4233(e)]

Excerpt from Table 1 to 40 CFR Part 60, Subpart JJJJ

Engine type and fuel	Maximum engine power	Manufacture date	Emission standards ^a					
			g/HP-hr			ppmvd at 15% O ₂		
			NO _x	CO	VOC ^d	NO _x	CO	VOC ^d
Non-Emergency SI Natural Gas and Non-Emergency SI Lean-Burn LPG (except lean-burn 500≤HP<1,350)	HP≥500	7/1/2007	2.0	4.0	1.0	160	540	86
	HP≥500	7/1/2010	1.0	2.0	0.7	82	270	60

- a. Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O₂
- d. For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

Testing [15A NCAC 02Q .0508(f)]

- d. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ; and each performance test shall follow the procedures in §60.4244. If the testing is not conducted as described and/or the results of this test are above the limits given in Section 2.1 A.3.c above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524.

Compliance Requirements [15A NCAC 02Q .0508(f)]

- e. The Permittee shall comply with the emission standards in Section 2.1 A.3.c by:
 - i. purchasing an engine certified according to the procedures in 40 CFR 60 Subpart JJJJ for its respective model year; and
 - ii. operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, The Permittee shall also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply to the Permittee.

OR

- iii. purchasing a non-certified engine and demonstrating compliance with the emission standards specified in §60.4233(e) and according to the requirements specified in §60.4244, as applicable, and
- iv. keeping a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the Permittee shall conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

[§60.4243(a),(b)]

- f. The Permittee shall operate and maintain the stationary SI ICE to achieve the emission standards as required in Section 2.1 A.3.c over the entire life of the engine. [§60 .4234]
- g. Pursuant to §60.4243(g), it is expected that air-to-fuel ratio (AFR) controllers will be used with the operation of three-way catalysts/non-selective catalytic reduction. The AFR controller must be maintained and operated appropriately in order to ensure proper operation of the engine and control device to minimize emissions at all times.

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524 if the requirements in Section 2.1 A.3.e through g are not met.

Recordkeeping [15A NCAC 02Q .0508(f)]

- h. The Permittee shall keep the following records:
 - i. All notifications submitted to comply with 40 CFR 60 and all documentation supporting any notification.
 - ii. Maintenance conducted on the engine.
 - iii. If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable.
 - iv. If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating

in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.

[§60.4245(a), §60.4243(a), (b)]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524 if the requirements in Section 2.1 A.3.h are not met.

Reporting and Notifications [15A NCAC 02Q .0508(f)]

- i. For SI RICE that have not been certified by an engine manufacturer to meet the emission standards in §60.4231, the Permittee shall submit an initial notification as required in §60.7(a)(1). The notification must include the information in §60.4245(c). [§60.4245(c)]
- j. The Permittee shall submit a copy of each performance test as conducted in §60.4244 within 60 days after the test has been completed. [§60.4245(d)]
- k. The Permittee shall submit a summary report of monitoring and recordkeeping activities given in Sections 2.1 A.3.e through j above, postmarked on or before January 30 of each calendar year for the preceding six-month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of noncompliance with the requirements of this permit shall be clearly identified.

4. 15A NCAC 02D .1423: LARGE INTERNAL COMBUSTION ENGINES

- a. For each 4SLB engine (**ID Nos. COMP01 through COMP08**), the Permittee shall not cause to be emitted into the atmosphere nitrogen oxides in excess of 125 parts per million, except as allowed by Paragraph b, below. This limit is expressed as nitrogen dioxide corrected to 15 percent parts per million by volume (ppmv) stack gas oxygen on a dry basis, averaged over a rolling 30-day period. [15A NCAC 02D .1423(b)]

Emission Limit [15A NCAC 02D .1423(c)]

- b. The emission limit in Paragraph a above may be multiplied by X, where X equals the engine efficiency (E) divided by a reference efficiency of 30 percent. Engine efficiency (E) shall be determined using one of the methods specified by the two equations below. In cases where (E) would be less than 30 percent, a value of 30 percent shall be used instead.

- i. Equation 1:

$$E = \frac{(\text{Engine Output}) \times 100}{\text{Energy input}}$$

Where energy input is determined by a fuel measuring device accurate to plus or minus 5 percent and is based on the higher heating value (HHV) of the fuel. Percent efficiency (E) shall be averaged over 15 consecutive minutes and measured at peak load for the applicable engine.

- ii. Equation 2:

$$E = \frac{(\text{Manufacturer's Rated Efficiency [continuous] at LHV}) \times (LHV)}{HHV}$$

where LHV is the lower heating value of the fuel; and HHV is the higher heating value of the fuel.

Monitoring [15A NCAC 02Q .0508(f); 15A NCAC 02D .1423(d)(2)]

- c. The Permittee shall determine compliance with the emission limit in Paragraph a above by using an alternate calculated and recordkeeping procedure based on actual emissions testing and correlation with operating parameters. The installation, implementation, and use of this alternate procedure shall be approved by the Director before it may be used. The Director may approve the alternative procedure if the Director determines that it can show the compliance status of the engine.

Recordkeeping [15A NCAC 02Q .0508(f); 15A NCAC 02D .1423(f)]

- d. The Permittee shall maintain all records necessary to demonstrate compliance with the Rule for two calendar years at the facility at which the engine is located. The records shall be made available to the Director upon request. The owner or operator shall maintain records of the following information for each day the engine operates:

- (1) identification and location of the engine;
- (2) calendar date of record;
- (3) the number of hours the engine operated during each day, including startups, shutdowns, and malfunctions, and the type and duration of maintenance and repairs;
- (4) date and results of each emissions inspection;
- (5) a summary of any emissions corrective maintenance taken;
- (6) the results of all compliance tests; and
- (7) if a unit is equipped with a continuous emission monitoring system:
 - (A) identification of time periods during which nitrogen oxide standards are exceeded, the reason for the excess emissions, and action taken to correct the excess emissions and to prevent similar future excess emissions; and
 - (B) identification of the time periods for which operating conditions and pollutant data were not obtained including reasons for not obtaining sufficient data and a description of corrective actions taken.

If the above records are not maintained, the Permittee will be deemed in noncompliance with 15A NCAC 02D .1423. The Permittee is allowed to maintain records off-site.

Exemptions [15A NCAC 02Q .0508(f); 15A NCAC 02D .1423(g)]

- e. The emission standards of this Rule shall not apply to the following periods of operation:
- i. start-up and shut-down periods and periods of malfunction, not to exceed 36 consecutive hours;
 - ii. regularly scheduled maintenance activities.

Reporting [15A NCAC 02Q .0508(f)]

- f. The owner or operator of a stationary internal combustion engine subject to this Rule shall submit:
- (1) a report documenting the engine's total nitrogen oxide emissions beginning May 1 and ending September 30 of each year to the Director by October 31 of each year, beginning with the year of first ozone season that the engine operates;
 - (2) an excess emissions and monitoring systems performance report, according to the requirements of 40 CFR 60.7(c) and 60.13, if a continuous emissions monitoring system is used.

B. One four-stroke lean-burn natural gas-fired emergency generator (ID No. EG01)

The following table provides a summary of limits and standards for the emission source(s) describe above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Sulfur dioxide	2.3 pounds per million Btu heat input	15A NCAC 02D .0516
Visible emissions	20 percent opacity when averaged over a six-minute period	15A NCAC 02D .0521
Nitrogen oxides Volatile organic compounds Carbon monoxide	See Section 2.1 B.3	15A NCAC 02D .0524 40 CFR Part 60, Subpart JJJJ
Carbon Monoxide (formaldehyde surrogate)	See Section 2.2 A.1	15A NCAC 02D .1111 40 CFR Part 63, Subpart ZZZZ
HAPs	See Section 2.2 A.2	15A NCAC 02Q .0317 (HAP Major Source Classification - Avoidance)

1. 15A NCAC 02D .0516: SULFUR DIOXIDE EMISSIONS FROM COMBUSTION SOURCES

- a. Emissions of sulfur dioxide from this source (**ID No. EG01**) shall not exceed 2.3 pounds per million Btu heat input. Sulfur dioxide formed by the combustion of sulfur in fuels, wastes, ores, and other substances shall be included when determining compliance with this standard.

Testing [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 B.1.a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0516.

Monitoring/Recordkeeping/Reporting [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for sulfur dioxide emissions from the firing of natural gas in the engines.

2. 15A NCAC 02D .0521: CONTROL OF VISIBLE EMISSIONS

- a. Visible emissions from this source (**ID No. EG01**) shall not be more than 20 percent opacity when averaged over a six-minute period. However, six-minute averaging periods may exceed 20 percent not more than once in any hour and not more than four times in any 24-hour period. In no event shall the six-minute average exceed 87 percent opacity.

Testing [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.1 B.2.a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0521.

Monitoring/Recordkeeping/Reporting [15A NCAC 02Q .0508(f)]

- c. No monitoring/recordkeeping/reporting is required for visible emissions from the firing of natural gas in the engine.

**3. 15A NCAC 02D .0524: NEW SOURCE PERFORMANCE STANDARDS
(40 CFR Part 60, Subpart JJJJ)**

Applicability [15A NCAC 02Q .0508(f), 40 CFR 60.4230(a)(4)(iv)]

- a. For the emergency spark ignition internal combustion engine (SI ICE; **ID No. EG01**), the Permittee shall comply with all applicable provisions, including the requirements for emission standards, notification, testing, reporting, recordkeeping, and monitoring, contained in Environmental Management Commission Standard 15A NCAC 02D .0524 "New Source Performance Standards" as promulgated in 40 CFR Part 60 Subpart JJJJ "Standards of Performance for Stationary Spark Ignition Internal Combustion Engines," including Subpart A "General Provisions."

General Provisions [15A NCAC 02Q .0508(f)]

- b. Pursuant to §60.4246, The Permittee shall comply with the General Provisions of 40 CFR 60 Subpart A as presented in Table 3 of 40 CFR 60 Subpart JJJJ.

Emission Standards

- c. For each SI ICE, the Permittee shall comply with each relevant emission limit in Table 1 to 40 CFR Part 60, Subpart JJJJ: [40 CFR 60.4233(e)]

Excerpt from Table 1 to 40 CFR Part 60, Subpart JJJJ

Engine type and fuel	Maximum engine power	Manufacture date	Emission standards ^a					
			g/HP-hr			ppmvd at 15% O ₂		
			NO _x	CO	VOC ^d	NO _x	CO	VOC ^d
Emergency	HP≥130	1/1/2009	2.0	4.0	1.0	160	540	86

- a. Owners and operators of stationary non-certified SI engines may choose to comply with the emission standards in units of either g/HP-hr or ppmvd at 15 percent O₂
- d. For purposes of this subpart, when calculating emissions of volatile organic compounds, emissions of formaldehyde should not be included.

Testing [15A NCAC 02Q .0508(f)]

- d. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ; and each performance test shall follow the procedures in §60.4244. If the testing is not conducted as described above, or the results of this test are above the limits given in Section 2.1 B.3.c above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524.

Monitoring [15A NCAC 02Q .0508(f)]

- e. The engine shall be equipped with a non-resettable hour meter if manufactured after July 1, 2010. [§60.4237(a)]

Compliance Requirements [15A NCAC 02Q .0508(b)]

- f. The Permittee shall comply with the emission standards in Section 2.1 B.3.c by:
 - i. purchasing an engine certified according to the procedures in 40 CFR 60 Subpart JJJJ for its respective model year; and
 - ii. operate and maintain the certified stationary SI internal combustion engine and control device according to the manufacturer's emission-related written instructions, The Permittee shall also meet the requirements as specified in 40 CFR part 1068, subparts A through D, as they apply to the Permittee.

OR

- iii. purchasing a non-certified engine and demonstrating compliance with the emission standards specified in §60.4233(e) and according to the requirements specified in §60.4244, as applicable, and
- iv. keeping a maintenance plan and records of conducted maintenance and must, to the extent practicable, maintain and operate the engine in a manner consistent with good air pollution control practice for minimizing emissions. In addition, the Permittee shall conduct an initial performance test and conduct subsequent performance testing every 8,760 hours or 3 years, whichever comes first, thereafter to demonstrate compliance.

[§60.4243(a),(b)]

- g. The Permittee shall must operate and maintain the stationary SI ICE that achieve the emission standards as required in Section 2.1 B.3.c over the entire life of the engine. [§60.4234]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524 if the requirements in Section 2.1 B.3.f through g are not met.

- h. In order for the engine to be considered an emergency stationary ICE under 40 CFR 60 Subpart JJJJ, any operation other than emergency operation, maintenance and testing, and operation in non-emergency situations for 50 hours per year, as described below, shall be deemed in noncompliance with 15A NCAC 02D .0524.

(1) There is no time limit on the use of emergency stationary ICE in emergency situations.

(2) The Permittee may operate the emergency stationary ICE for any combination of the purposes specified in paragraph (h)(2) of this condition for a maximum of 100 hours per calendar year. Any operation for non-emergency situations as allowed by paragraph (h)(3) of this condition counts as part of the 100 hours per calendar year allowed by this paragraph (h)(2). Emergency stationary ICE may be operated for maintenance checks and readiness testing, provided that the tests are recommended by federal, state or local government, the manufacturer, the vendor, the regional transmission organization or equivalent balancing authority and transmission operator, or the insurance company associated with the engine. The owner or operator may petition the Administrator for approval of additional hours to be used for maintenance checks and readiness testing, but a petition is not required if the owner or operator maintains records indicating that federal, state, or local standards require maintenance and testing of emergency ICE beyond 100 hours per calendar year.

(3) Emergency stationary ICE may be operated for up to 50 hours per calendar year in non-emergency situations. The 50 hours of operation in non-emergency situations are counted as part of the 100 hours per calendar year for maintenance and testing provided in paragraph (h)(2) of this condition. Except as provided in paragraph (h)(3)(i) of this condition, the 50 hours per year for non-emergency situations cannot be used for peak shaving or non-emergency demand response, or to generate income for a facility to an electric grid or otherwise supply power as part of a financial arrangement with another entity.

(i) The 50 hours per year for non-emergency situations can be used to supply power as part of a financial arrangement with another entity if all of the following conditions are met:

(A) The engine is dispatched by the local balancing authority or local transmission and distribution system operator;

(B) The dispatch is intended to mitigate local transmission and/or distribution limitations so as

to avert potential voltage collapse or line overloads that could lead to the interruption of power supply in a local area or region.

- (C) The dispatch follows reliability, emergency operation or similar protocols that follow specific NERC, regional, state, public utility commission or local standards or guidelines.
- (D) The power is provided only to the facility itself or to support the local transmission and distribution system.
- (E) The owner or operator identifies and records the entity that dispatches the engine and the specific NERC, regional, state, public utility commission or local standards or guidelines that are being followed for dispatching the engine. The local balancing authority or local transmission and distribution system operator may keep these records on behalf of the engine owner or operator.

[§60.4243(d)]

Recordkeeping [15A NCAC 02Q .0508(f)]

- i. The Permittee shall keep the following records:
 - i. All notifications submitted to comply with 40 CFR 60 and all documentation supporting any notification.
 - ii. Maintenance conducted on the engine.
 - iii. If the stationary SI internal combustion engine is a certified engine, documentation from the manufacturer that the engine is certified to meet the emission standards and information as required in 40 CFR parts 90, 1048, 1054, and 1060, as applicable.
 - iv. If the stationary SI internal combustion engine is not a certified engine or is a certified engine operating in a non-certified manner and subject to §60.4243(a)(2), documentation that the engine meets the emission standards.
 - v. If the emergency engine is manufactured after July 1, 2010, the hours of operation of the engine that is recorded through the non-resettable hour meter. The Permittee must document how many hours are spent for emergency operation, including what classified the operation as emergency and how many hours are spent for non-emergency operation.

[§60.4245(a), §60.4243(a), (b)]

The Permittee shall be deemed in noncompliance with 15A NCAC 02D .0524 if the requirements in Section 2.1 B.3.i are not met.

Reporting [15A NCAC 02Q .0508(f)]

- j. For SI RICE that have not been certified by an engine manufacturer to meet the emission standards in §60.4231, the Permittee shall submit an initial notification as required in §60.7(a)(1). The notification must include the information in §60.4245(c). [§60.4245(c)]
- k. The Permittee shall submit a copy of each performance test as conducted in §60.4244 within 60 days after the test has been completed. [§60.4245(d)]
- l. The Permittee shall submit a summary report of monitoring and recordkeeping activities given in Sections 2.1 B.3.e through i above postmarked on or before January 30 of each calendar year for the preceding six-

month period between July and December and July 30 of each calendar year for the preceding six-month period between January and June. All instances of noncompliance with the requirements of this permit shall be clearly identified.

DRAFT

2.2- Multiple Emission Source(s) Specific Limitations and Conditions

A.

- Eight (8) four-stroke lean-burn natural gas-fired reciprocating internal combustion engines powering eight compressors (**ID Nos. COMP01 through COMP08**) each equipped with a catalytic oxidizer (**ID Nos. COMP01C through COMP08C**); and
- a four-stroke lean-burn natural gas-fired emergency generator (**ID No. EG01**)

The following table provides a summary of limits and standards for the emission source(s) describe above:

Regulated Pollutant	Limits/Standards	Applicable Regulation
Carbon Monoxide (formaldehyde surrogate)	Comply with 40 CFR Part 60, Subpart JJJJ	15A NCAC 02D .1111 40 CFR Part 63 Subpart ZZZZ
Hazardous Air Pollutants (HAP)	See Section 2.2 A.2.	15A NCAC 02Q .0317 (HAP-Major Source avoidance)

1. 15A NCAC 02D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY (40 CFR Part 63, Subpart ZZZZ)

- a. For the stationary SI ICE and emergency stationary ICE, the Permittee shall comply with all applicable provisions, including the requirements for emission limitations, testing, monitoring, recordkeeping, notification, and reporting, contained in Environmental Management Commission Standard 15A NCAC 02D .1111 "Maximum Achievable Control Technology (MACT)" as promulgated in 40 CFR Part 63 Subpart ZZZZ, including Subpart A "General Provisions."
- b. The Permittee shall meet the requirements of this 40 CFR 63 Subpart ZZZZ by meeting all applicable requirements in 40 CFR 60 Subpart JJJJ for spark ignition engines and no further requirements shall apply to this engine under this Part in accordance with §63.6590(c).
- c. Area sources of HAP emissions that become major sources – If an area source increases its emissions or its potential to emit such that it becomes a major source of HAP as defined in 40 CFR 63.2, the compliance dates are as follows:
 - i. Any stationary RICE for which construction or reconstruction is commenced after the date when an area source becomes a major source of HAP, the IC RICE must be in compliance with 40 CFR 63, Subpart ZZZZ upon startup of the affected source;
 - ii. Any stationary RICE for which construction or reconstruction is commenced before the area source becomes a major source of HAP must be in compliance with 40 CFR 63, Subpart ZZZZ within 3 years after the area source becomes a major source of HAPs.
 - iii. Owning or operating an affected source requires that the applicable notification requirements in 40 CFR 63.6645 and in 40 CFR 63, Subpart A are met.

**2. 15A NCAC 02Q .0317: AVOIDANCE CONDITIONS
(for 15A NCAC 02D .1111: MAXIMUM ACHIEVABLE CONTROL TECHNOLOGY, and
HAP-Major Source Classification Avoidance)**

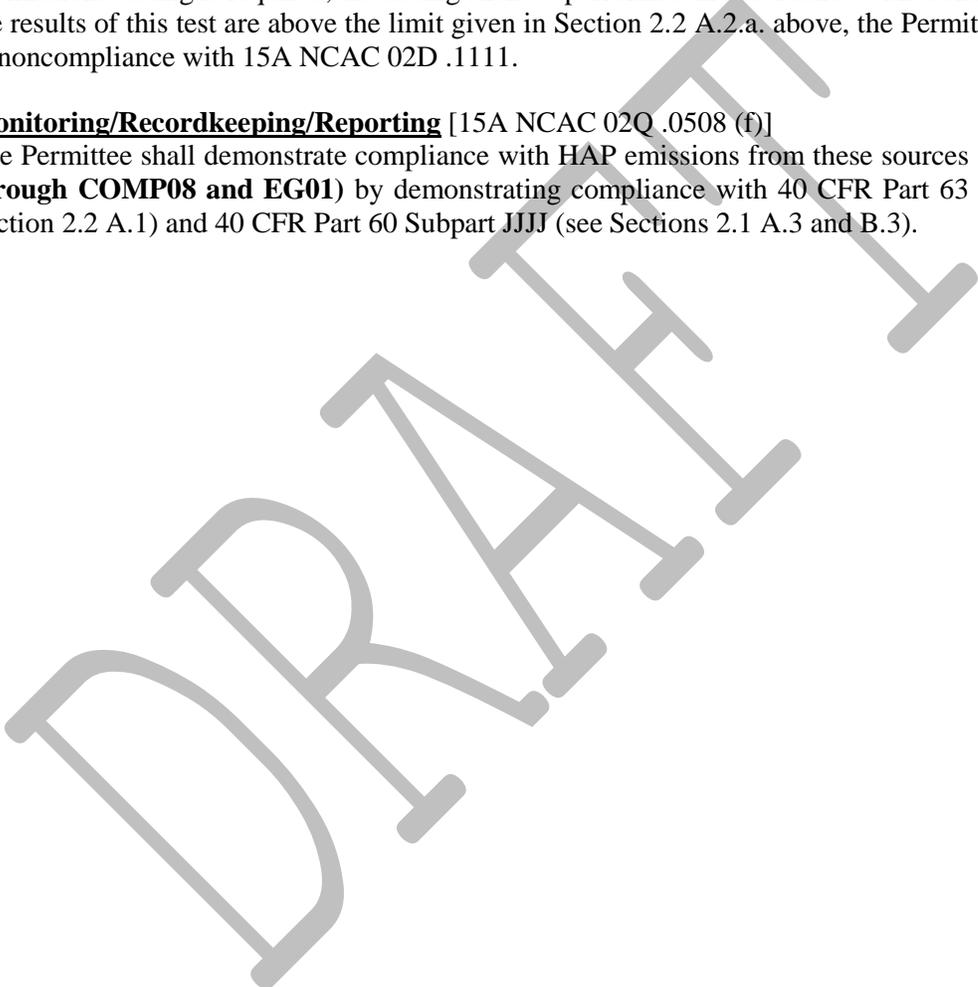
- a. In order to avoid applicability of 15A NCAC 02D .1111 for major sources, the eight four-stroke lean-burn natural gas-fired reciprocating ICE (**ID Nos. COMP01 through COMP08**) and one four-stroke lean-burn natural gas-fired emergency stationary ICE (**ID No. EG01**) shall discharge into the atmosphere less than 10 tons of an individual hazardous air pollutant (HAP) or 25 tons of combined hazardous air pollutants, per consecutive 12-month period.

Testing [15A NCAC 02Q .0508(f)]

- b. If emissions testing is required, the testing shall be performed in accordance with General Condition JJ. If the results of this test are above the limit given in Section 2.2 A.2.a. above, the Permittee shall be deemed in noncompliance with 15A NCAC 02D .1111.

Monitoring/Recordkeeping/Reporting [15A NCAC 02Q .0508 (f)]

- c. The Permittee shall demonstrate compliance with HAP emissions from these sources (**ID Nos. COMP01 through COMP08 and EG01**) by demonstrating compliance with 40 CFR Part 63 Subpart ZZZZ (see Section 2.2 A.1) and 40 CFR Part 60 Subpart JJJ (see Sections 2.1 A.3 and B.3).



SECTION 3- GENERAL CONDITIONS (version 5.3, 08/21/2018)

This section describes terms and conditions applicable to this Title V facility.

- A. **General Provisions** [NCGS 143-215 and 15A NCAC 02Q .0508(i)(16)]
1. Terms not otherwise defined in this permit shall have the meaning assigned to such terms as defined in 15A NCAC 02D and 02Q.
 2. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are binding and enforceable pursuant to NCGS 143-215.114A and 143-215.114B, including assessment of civil and/or criminal penalties. Any unauthorized deviation from the conditions of this permit may constitute grounds for revocation and/or enforcement action by the DAQ.
 3. This permit is not a waiver of or approval of any other Department permits that may be required for other aspects of the facility which are not addressed in this permit.
 4. This permit does not relieve the Permittee from liability for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted facility, or from penalties therefore, nor does it allow the Permittee to cause pollution in contravention of state laws or rules, unless specifically authorized by an order from the North Carolina Environmental Management Commission.
 5. Except as identified as state-only requirements in this permit, all terms and conditions contained herein shall be enforceable by the DAQ, the EPA, and citizens of the United States as defined in the Federal Clean Air Act.
 6. Any stationary source of air pollution shall not be operated, maintained, or modified without the appropriate and valid permits issued by the DAQ, unless the source is exempted by rule. The DAQ may issue a permit only after it receives reasonable assurance that the installation will not cause air pollution in violation of any of the applicable requirements. A permitted installation may only be operated, maintained, constructed, expanded, or modified in a manner that is consistent with the terms of this permit.
- B. **Permit Availability** [15A NCAC 02Q .0507(k) and .0508(i)(9)(B)]
The Permittee shall have available at the facility a copy of this permit and shall retain for the duration of the permit term one complete copy of the application and any information submitted in support of the application package. The permit and application shall be made available to an authorized representative of Department of Environmental Quality upon request.
- C. **Severability Clause** [15A NCAC 02Q .0508(i)(2)]
In the event of an administrative challenge to a final and binding permit in which a condition is held to be invalid, the provisions in this permit are severable so that all requirements contained in the permit, except those held to be invalid, shall remain valid and must be complied with.
- D. **Submissions** [15A NCAC 02Q .0507(e) and 02Q .0508(i)(16)]
Except as otherwise specified herein, two copies of all documents, reports, test data, monitoring data, notifications, request for renewal, and any other information required by this permit shall be submitted to the appropriate Regional Office. Refer to the Regional Office address on the cover page of this permit. For continuous emissions monitoring systems (CEMS) reports, continuous opacity monitoring systems (COMS) reports, quality assurance (QA)/quality control (QC) reports, acid rain CEM certification reports, and NOx budget CEM certification reports, one copy shall be sent to the appropriate Regional Office and one copy shall be sent to:
- Supervisor, Stationary Source Compliance
North Carolina Division of Air Quality
1641 Mail Service Center
Raleigh, NC 27699-1641
- All submittals shall include the facility name and Facility ID number (refer to the cover page of this permit).
- E. **Duty to Comply** [15A NCAC 02Q .0508(i)(3)]
The Permittee shall comply with all terms, conditions, requirements, limitations and restrictions set forth in this permit. Noncompliance with any permit condition except conditions identified as state-only requirements constitutes a violation of the Federal Clean Air Act. Noncompliance with any permit condition is grounds for enforcement action, for permit termination, revocation and reissuance, or modification, or for denial of a permit renewal application.

F. **Circumvention** - STATE ENFORCEABLE ONLY

The facility shall be properly operated and maintained at all times in a manner that will effect an overall reduction in air pollution. Unless otherwise specified by this permit, no emission source may be operated without the concurrent operation of its associated air pollution control device(s) and appurtenances.

G. **Permit Modifications**

1. Administrative Permit Amendments [15A NCAC 02Q .0514]
The Permittee shall submit an application for an administrative permit amendment in accordance with 15A NCAC 02Q .0514.
2. Transfer in Ownership or Operation and Application Submittal Content [15A NCAC 02Q .0524 and 02Q .0505]
The Permittee shall submit an application for an ownership change in accordance with 15A NCAC 02Q.0524 and 02Q .0505.
3. Minor Permit Modifications [15A NCAC 02Q .0515]
The Permittee shall submit an application for a minor permit modification in accordance with 15A NCAC 02Q .0515.
4. Significant Permit Modifications [15A NCAC 02Q .0516]
The Permittee shall submit an application for a significant permit modification in accordance with 15A NCAC 02Q .0516.
5. Reopening for Cause [15A NCAC 02Q .0517]
The Permittee shall submit an application for reopening for cause in accordance with 15A NCAC 02Q .0517.

H. **Changes Not Requiring Permit Modifications**

1. Reporting Requirements
Any of the following that would result in new or increased emissions from the emission source(s) listed in Section 1 must be reported to the Regional Supervisor, DAQ:
 - a. changes in the information submitted in the application;
 - b. changes that modify equipment or processes; or
 - c. changes in the quantity or quality of materials processed.

If appropriate, modifications to the permit may then be made by the DAQ to reflect any necessary changes in the permit conditions. In no case are any new or increased emissions allowed that will cause a violation of the emission limitations specified herein.

2. Section 502(b)(10) Changes [15A NCAC 02Q .0523(a)]
 - a. "Section 502(b)(10) changes" means changes that contravene an express permit term or condition. Such changes do not include changes that would violate applicable requirements or contravene federally enforceable permit terms and conditions that are monitoring (including test methods), recordkeeping, reporting, or compliance certification requirements.
 - b. The Permittee may make Section 502(b)(10) changes without having the permit revised if:
 - i. the changes are not a modification under Title I of the Federal Clean Air Act;
 - ii. the changes do not cause the allowable emissions under the permit to be exceeded;
 - iii. the Permittee notifies the Director and EPA with written notification at least seven days before the change is made; and
 - iv. the Permittee shall attach the notice to the relevant permit.
 - c. The written notification shall include:
 - i. a description of the change;
 - ii. the date on which the change will occur;
 - iii. any change in emissions; and
 - iv. any permit term or condition that is no longer applicable as a result of the change.
 - d. Section 502(b)(10) changes shall be made in the permit the next time that the permit is revised or renewed, whichever comes first.
3. Off Permit Changes [15A NCAC 02Q .0523(b)]
The Permittee may make changes in the operation or emissions without revising the permit if:
 - a. the change affects only insignificant activities and the activities remain insignificant after the change; or
 - b. the change is not covered under any applicable requirement.
4. Emissions Trading [15A NCAC 02Q .0523(c)]
To the extent that emissions trading is allowed under 15A NCAC 02D, including subsequently adopted maximum achievable control technology standards, emissions trading shall be allowed without permit revision pursuant to 15A NCAC 02Q .0523(c).

I.A. Reporting Requirements for Excess Emissions and Permit Deviations [15A NCAC 02D .0535(f) and 02Q .0508(f)(2)]
“Excess Emissions” - means an emission rate that exceeds any applicable emission limitation or standard allowed by any rule in Sections .0500, .0900, .1200, or .1400 of Subchapter 02D; or by a permit condition; or that exceeds an emission limit established in a permit issued under 15A NCAC 02Q .0700. (*Note: Definitions of excess emissions under 02D .1110 and 02D .1111 shall apply where defined by rule.*)

“Deviations” - for the purposes of this condition, any action or condition not in accordance with the terms and conditions of this permit including those attributable to upset conditions as well as excess emissions as defined above lasting less than four hours.

Excess Emissions

1. If a source is required to report excess emissions under NSPS (15A NCAC 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or the operating permit provides for periodic (e.g., quarterly) reporting of excess emissions, reporting shall be performed as prescribed therein.
2. If the source is not subject to NSPS (15A NCAC 02D .0524), NESHAPS (15A NCAC 02D .1110 or .1111), or these rules do NOT define "excess emissions," the Permittee shall report excess emissions in accordance with 15A NCAC 02D .0535 as follows:
 - a. Pursuant to 15A NCAC 02D .0535, if excess emissions last for more than four hours resulting from a malfunction, a breakdown of process or control equipment, or any other abnormal condition, the owner or operator shall:
 - i. notify the Regional Supervisor or Director of any such occurrence by 9:00 a.m. Eastern Time of the Division's next business day of becoming aware of the occurrence and provide:
 - name and location of the facility;
 - nature and cause of the malfunction or breakdown;
 - time when the malfunction or breakdown is first observed;
 - expected duration; and
 - estimated rate of emissions;
 - ii. notify the Regional Supervisor or Director immediately when corrective measures have been accomplished; and
 - iii. submit to the Regional Supervisor or Director within 15 days a written report as described in 15A NCAC 02D .0535(f)(3).

Permit Deviations

3. Pursuant to 15A NCAC 02Q .0508(f)(2), the Permittee shall report deviations from permit requirements (terms and conditions) as follows:
 - a. Notify the Regional Supervisor or Director of all other deviations from permit requirements not covered under 15A NCAC 02D .0535 quarterly. A written report to the Regional Supervisor shall include the probable cause of such deviation and any corrective actions or preventative actions taken. The responsible official shall certify all deviations from permit requirements.

I.B. Other Requirements under 15A NCAC 02D .0535

The Permittee shall comply with all other applicable requirements contained in 15A NCAC 02D .0535, including 15A NCAC 02D .0535(c) as follows:

1. Any excess emissions that do not occur during start-up and shut-down shall be considered a violation of the appropriate rule unless the owner or operator of the sources demonstrates to the Director, that the excess emissions are a result of a malfunction. The Director shall consider, along with any other pertinent information, the criteria contained in 15A NCAC 02D .0535(c)(1) through (7).
2. 15A NCAC 02D .0535(g). Excess emissions during start-up and shut-down shall be considered a violation of the appropriate rule if the owner or operator cannot demonstrate that excess emissions are unavoidable.

J. Emergency Provisions [40 CFR 70.6(g)]

The Permittee shall be subject to the following provisions with respect to emergencies:

1. An emergency means any situation arising from sudden and reasonably unforeseeable events beyond the control of the facility, including acts of God, which situation requires immediate corrective action to restore normal operation, and that causes the facility to exceed a technology-based emission limitation under the permit, due to unavoidable increases in emissions attributable to the emergency. An emergency shall not include noncompliance to the extent caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.

2. An emergency constitutes an affirmative defense to an action brought for noncompliance with such technology-based emission limitations if the conditions specified in 3. below are met.
3. The affirmative defense of emergency shall be demonstrated through properly signed contemporaneous operating logs or other relevant evidence that include information as follows:
 - a. an emergency occurred and the Permittee can identify the cause(s) of the emergency;
 - b. the permitted facility was at the time being properly operated;
 - c. during the period of the emergency the Permittee took all reasonable steps to minimize levels of emissions that exceeded the standards or other requirements in the permit; and
 - d. the Permittee submitted notice of the emergency to the DAQ within two working days of the time when emission limitations were exceeded due to the emergency. This notice must contain a description of the emergency, steps taken to mitigate emissions, and corrective actions taken.
4. In any enforcement proceeding, the Permittee seeking to establish the occurrence of an emergency has the burden of proof.
5. This provision is in addition to any emergency or upset provision contained in any applicable requirement specified elsewhere herein.

K. **Permit Renewal** [15A NCAC 02Q .0508(e) and 02Q .0513(b)]

This 15A NCAC 02Q .0500 permit is issued for a fixed term not to exceed five years and shall expire at the end of its term. Permit expiration terminates the facility's right to operate unless a complete 15A NCAC 02Q .0500 renewal application is submitted at least six months before the date of permit expiration. If the Permittee or applicant has complied with 15A NCAC 02Q .0512(b)(1), this 15A NCAC 02Q .0500 permit shall not expire until the renewal permit has been issued or denied. Permit expiration under 15A NCAC 02Q .0400 terminates the facility's right to operate unless a complete 15A NCAC 02Q .0400 renewal application is submitted at least six months before the date of permit expiration for facilities subject to 15A NCAC 02Q .0400 requirements. In either of these events, all terms and conditions of these permits shall remain in effect until the renewal permits have been issued or denied.

L. **Need to Halt or Reduce Activity Not a Defense** [15A NCAC 02Q .0508(i)(4)]

It shall not be a defense for a Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

M. **Duty to Provide Information (submittal of information)** [15A NCAC 02Q .0508(i)(9)]

1. The Permittee shall furnish to the DAQ, in a timely manner, any reasonable information that the Director may request in **writing** to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit or to determine compliance with the permit.
2. The Permittee shall furnish the DAQ copies of records required to be kept by the permit when such copies are requested by the Director. For information claimed to be confidential, the Permittee may furnish such records directly to the EPA upon request along with a claim of confidentiality.

N. **Duty to Supplement** [15A NCAC 02Q .0507(f)]

The Permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the DAQ. The Permittee shall also provide additional information as necessary to address any requirement that becomes applicable to the facility after the date a complete permit application was submitted but prior to the release of the draft permit.

O. **Retention of Records** [15A NCAC 02Q .0508(f) and 02Q .0508 (l)]

The Permittee shall retain records of all required monitoring data and supporting information for a period of at least five years from the date of the monitoring sample, measurement, report, or application. Supporting information includes all calibration and maintenance records and all original strip-chart recordings for continuous monitoring information, and copies of all reports required by the permit. These records shall be maintained in a form suitable and readily available for expeditious inspection and review. Any records required by the conditions of this permit shall be kept on site and made available to DAQ personnel for inspection upon request.

P. **Compliance Certification** [15A NCAC 02Q .0508(n)]

The Permittee shall submit to the DAQ and the EPA (Air and EPCRA Enforcement Branch, EPA, Region 4, 61 Forsyth Street SW, Atlanta, GA 30303) postmarked on or before March 1 a compliance certification (for the preceding calendar year) by a responsible official with all federally-enforceable terms and conditions in the permit, including emissions limitations, standards, or work practices. It shall be the responsibility of the current owner to submit a compliance certification for the entire year regardless of who owned the facility during the year. The compliance certification shall

comply with additional requirements as may be specified under Sections 114(a)(3) or 504(b) of the Federal Clean Air Act. The compliance certification shall specify:

1. the identification of each term or condition of the permit that is the basis of the certification;
2. the compliance status (with the terms and conditions of the permit for the period covered by the certification);
3. whether compliance was continuous or intermittent; and
4. the method(s) used for determining the compliance status of the source during the certification period.

Q. **Certification by Responsible Official** [15A NCAC 02Q .0520]

A responsible official shall certify the truth, accuracy, and completeness of any application form, report, or compliance certification required by this permit. All certifications shall state that based on information and belief formed after reasonable inquiry, the statements and information in the document are true, accurate, and complete.

R. **Permit Shield for Applicable Requirements** [15A NCAC 02Q .0512]

1. Compliance with the terms and conditions of this permit shall be deemed compliance with applicable requirements, where such applicable requirements are included and specifically identified in the permit as of the date of permit issuance.
2. A permit shield shall not alter or affect:
 - a. the power of the Commission, Secretary of the Department, or Governor under NCGS 143-215.3(a)(12), or EPA under Section 303 of the Federal Clean Air Act;
 - b. the liability of an owner or operator of a facility for any violation of applicable requirements prior to the effective date of the permit or at the time of permit issuance;
 - c. the applicable requirements under Title IV; or
 - d. the ability of the Director or the EPA under Section 114 of the Federal Clean Air Act to obtain information to determine compliance of the facility with its permit.
3. A permit shield does not apply to any change made at a facility that does not require a permit or permit revision made under 15A NCAC 02Q .0523.
4. A permit shield does not extend to minor permit modifications made under 15A NCAC 02Q .0515.

S. **Termination, Modification, and Revocation of the Permit** [15A NCAC 02Q .0519]

The Director may terminate, modify, or revoke and reissue this permit if:

1. the information contained in the application or presented in support thereof is determined to be incorrect;
2. the conditions under which the permit or permit renewal was granted have changed;
3. violations of conditions contained in the permit have occurred;
4. the EPA requests that the permit be revoked under 40 CFR 70.7(g) or 70.8(d); or
5. the Director finds that termination, modification, or revocation and reissuance of the permit is necessary to carry out the purpose of NCGS Chapter 143, Article 21B.

T. **Insignificant Activities** [15A NCAC 02Q .0503]

Because an emission source or activity is insignificant does not mean that the emission source or activity is exempted from any applicable requirement or that the owner or operator of the source is exempted from demonstrating compliance with any applicable requirement. The Permittee shall have available at the facility at all times and made available to an authorized representative upon request, documentation, including calculations, if necessary, to demonstrate that an emission source or activity is insignificant.

U. **Property Rights** [15A NCAC 02Q .0508(i)(8)]

This permit does not convey any property rights in either real or personal property or any exclusive privileges.

V. **Inspection and Entry** [15A NCAC 02Q .0508(l) and NCGS 143-215.3(a)(2)]

1. Upon presentation of credentials and other documents as may be required by law, the Permittee shall allow the DAQ, or an authorized representative, to perform the following:
 - a. enter the Permittee's premises where the permitted facility is located or emissions-related activity is conducted, or where records are kept under the conditions of the permit;
 - b. have access to and copy, at reasonable times, any records that are required to be kept under the conditions of the permit;
 - c. inspect at reasonable times and using reasonable safety practices any source, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under the permit; and
 - d. sample or monitor substances or parameters, using reasonable safety practices, for the purpose of assuring compliance with the permit or applicable requirements at reasonable times.

Nothing in this condition shall limit the ability of the EPA to inspect or enter the premises of the Permittee under Section 114 or other provisions of the Federal Clean Air Act.

2. No person shall refuse entry or access to any authorized representative of the DAQ who requests entry for purposes of inspection, and who presents appropriate credentials, nor shall any person obstruct, hamper, or interfere with any such authorized representative while in the process of carrying out his official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

W. **Annual Fee Payment** [15A NCAC 02Q .0508(i)(10)]

1. The Permittee shall pay all fees in accordance with 15A NCAC 02Q .0200.
2. Payment of fees may be by check or money order made payable to the N.C. Department of Environmental Quality. Annual permit fee payments shall refer to the permit number.
3. If, within 30 days after being billed, the Permittee fails to pay an annual fee, the Director may initiate action to terminate the permit under 15A NCAC 02Q .0519.

X. **Annual Emission Inventory Requirements** [15A NCAC 02Q .0207]

The Permittee shall report by **June 30 of each year** the actual emissions of each air pollutant listed in 15A NCAC 02Q .0207(a) from each emission source within the facility during the previous calendar year. The report shall be in or on such form as may be established by the Director. The accuracy of the report shall be certified by a responsible official of the facility.

Y. **Confidential Information** [15A NCAC 02Q .0107 and 02Q .0508(i)(9)]

Whenever the Permittee submits information under a claim of confidentiality pursuant to 15A NCAC 02Q .0107, the Permittee may also submit a copy of all such information and claim directly to the EPA upon request. All requests for confidentiality must be in accordance with 15A NCAC 02Q .0107.

Z. **Construction and Operation Permits** [15A NCAC 02Q .0100 and .0300]

A construction and operating permit shall be obtained by the Permittee for any proposed new or modified facility or emission source which is not exempted from having a permit prior to the beginning of construction or modification, in accordance with all applicable provisions of 15A NCAC 02Q .0100 and .0300.

AA. **Standard Application Form and Required Information** [15A NCAC 02Q .0505 and .0507]

The Permittee shall submit applications and required information in accordance with the provisions of 15A NCAC 02Q .0505 and .0507.

BB. **Financial Responsibility and Compliance History** [15A NCAC 02Q .0507(d)(4)]

The DAQ may require an applicant to submit a statement of financial qualifications and/or a statement of substantial compliance history.

CC. **Refrigerant Requirements (Stratospheric Ozone and Climate Protection)** [15A NCAC 02Q .0501(e)]

1. If the Permittee has appliances or refrigeration equipment, including air conditioning equipment, which use Class I or II ozone-depleting substances such as chlorofluorocarbons and hydrochlorofluorocarbons listed as refrigerants in 40 CFR Part 82 Subpart A Appendices A and B, the Permittee shall service, repair, and maintain such equipment according to the work practices, personnel certification requirements, and certified recycling and recovery equipment specified in 40 CFR Part 82 Subpart F.
2. The Permittee shall not knowingly vent or otherwise release any Class I or II substance into the environment during the repair, servicing, maintenance, or disposal of any such device except as provided in 40 CFR Part 82 Subpart F.
3. The Permittee shall comply with all reporting and recordkeeping requirements of 40 CFR 82.166. Reports shall be submitted to the EPA or its designee as required.

DD. **Prevention of Accidental Releases - Section 112(r)** [15A NCAC 02Q .0508(h)]

If the Permittee is required to develop and register a Risk Management Plan with EPA pursuant to Section 112(r) of the Clean Air Act, then the Permittee is required to register this plan in accordance with 40 CFR Part 68.

EE. **Prevention of Accidental Releases General Duty Clause - Section 112(r)(1)** – FEDERALLY-ENFORCEABLE ONLY

Although a risk management plan may not be required, if the Permittee produces, processes, handles, or stores any amount of a listed hazardous substance, the Permittee has a general duty to take such steps as are necessary to prevent the accidental release of such substance and to minimize the consequences of any release.

FF. **Title IV Allowances** [15A NCAC 02Q .0508(i)(1)]

This permit does not limit the number of Title IV allowances held by the Permittee, but the Permittee may not use allowances as a defense to noncompliance with any other applicable requirement. The Permittee's emissions may not exceed any allowances that the facility lawfully holds under Title IV of the Federal Clean Air Act.

GG. **Air Pollution Emergency Episode** [15A NCAC 02D .0300]

Should the Director of the DAQ declare an Air Pollution Emergency Episode, the Permittee will be required to operate in accordance with the Permittee's previously approved Emission Reduction Plan or, in the absence of an approved plan, with the appropriate requirements specified in 15A NCAC 02D .0300.

HH. **Registration of Air Pollution Sources** [15A NCAC 02D .0202]

The Director of the DAQ may require the Permittee to register a source of air pollution. If the Permittee is required to register a source of air pollution, this registration and required information will be in accordance with 15A NCAC 02D .0202(b).

II. **Ambient Air Quality Standards** [15A NCAC 02D .0501(c)]

In addition to any control or manner of operation necessary to meet emission standards specified in this permit, any source of air pollution shall be operated with such control or in such manner that the source shall not cause the ambient air quality standards in 15A NCAC 02D .0400 to be exceeded at any point beyond the premises on which the source is located. When controls more stringent than named in the applicable emission standards in this permit are required to prevent violation of the ambient air quality standards or are required to create an offset, the permit shall contain a condition requiring these controls.

JJ. **General Emissions Testing and Reporting Requirements** [15A NCAC 02Q .0508(i)(16)]

Emission compliance testing shall be by the procedures of Section .2600, except as may be otherwise required in Rules .0524, .0912, .1110, .1111, or .1415 of Subchapter 02D. If emissions testing is required by this permit or the DAQ or if the Permittee submits emissions testing to the DAQ to demonstrate compliance, the Permittee shall perform such testing in accordance with 15A NCAC 02D .2600 and follow the procedures outlined below:

1. The owner or operator of the source shall arrange for air emission testing protocols to be provided to the Director prior to air pollution testing. Testing protocols are not required to be pre-approved by the Director prior to air pollution testing. The Director shall review air emission testing protocols for pre-approval prior to testing if requested by the owner or operator at least **45 days** before conducting the test.
2. Any person proposing to conduct an emissions test to demonstrate compliance with an applicable standard shall notify the Director at least **15 days** before beginning the test so that the Director may at his option observe the test.
3. The owner or operator of the source shall arrange for controlling and measuring the production rates during the period of air testing. The owner or operator of the source shall ensure that the equipment or process being tested is operated at the production rate that best fulfills the purpose of the test. The individual conducting the emission test shall describe the procedures used to obtain accurate process data and include in the test report the average production rates determined during each testing period.
4. Two copies of the final air emission test report shall be submitted to the Director not later than **30 days** after sample collection unless otherwise specified in the specific conditions. The owner or operator may request an extension to submit the final test report. The Director shall approve an extension request if he finds that the extension request is a result of actions beyond the control of the owner or operator.
 - a. The Director shall make the final determination regarding any testing procedure deviation and the validity of the compliance test. The Director may:
 - i. Allow deviations from a method specified under a rule in this Section if the owner or operator of the source being tested demonstrates to the satisfaction of the Director that the specified method is inappropriate for the source being tested.
 - ii. Prescribe alternate test procedures on an individual basis when he finds that the alternative method is necessary to secure more reliable test data.
 - iii. Prescribe or approve methods on an individual basis for sources or pollutants for which no test method is specified in this Section if the methods can be demonstrated to determine compliance of permitted emission sources or pollutants.
 - b. The Director may authorize the Division of Air Quality to conduct independent tests of any source subject to a rule in this Subchapter to determine the compliance status of that source or to verify any test data submitted relating to that source. Any test conducted by the Division of Air Quality using the appropriate testing procedures described in Section 02D .2600 has precedence over all other tests.

KK. Reopening for Cause [15A NCAC 02Q .0517]

1. A permit shall be reopened and revised under the following circumstances:
 - a. additional applicable requirements become applicable to a facility with remaining permit term of three or more years;
 - b. additional requirements (including excess emission requirements) become applicable to a source covered by Title IV;
 - c. the Director or EPA finds that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit; or
 - d. the Director or EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements.
2. Any permit reopening shall be completed or a revised permit issued within 18 months after the applicable requirement is promulgated. No reopening is required if the effective date of the requirement is after the expiration of the permit term unless the term of the permit was extended pursuant to 15A NCAC 02Q .0513(c).
3. Except for the state-enforceable only portion of the permit, the procedures set out in 15A NCAC 02Q .0507, .0521, or .0522 shall be followed to reissue the permit. If the State-enforceable only portion of the permit is reopened, the procedures in 15A NCAC 02Q .0300 shall be followed. The proceedings shall affect only those parts of the permit for which cause to reopen exists.
4. The Director shall notify the Permittee at least 60 days in advance of the date that the permit is to be reopened, except in cases of imminent threat to public health or safety the notification period may be less than 60 days.
5. Within 90 days, or 180 days if the EPA extends the response period, after receiving notification from the EPA that a permit needs to be terminated, modified, or revoked and reissued, the Director shall send to the EPA a proposed determination of termination, modification, or revocation and reissuance, as appropriate.

LL. Reporting Requirements for Non-Operating Equipment [15A NCAC 02Q .0508(i)(16)]

The Permittee shall maintain a record of operation for permitted equipment noting whenever the equipment is taken from and placed into operation. When permitted equipment is not in operation, the requirements for testing, monitoring, and recordkeeping are suspended until operation resumes.

MM. Fugitive Dust Control Requirement [15A NCAC 02D .0540]

As required by 15A NCAC 02D .0540 "Particulates from Fugitive Dust Emission Sources," the Permittee shall not cause or allow fugitive dust emissions to cause or contribute to substantive complaints or excess visible emissions beyond the property boundary. If substantive complaints or excessive fugitive dust emissions from the facility are observed beyond the property boundaries for six minutes in any one hour (using Reference Method 22 in 40 CFR, Appendix A), the owner or operator may be required to submit a fugitive dust plan as described in 02D .0540(f).

"Fugitive dust emissions" means particulate matter from process operations that does not pass through a process stack or vent and that is generated within plant property boundaries from activities such as: unloading and loading areas, process areas, stockpiles, stock pile working, plant parking lots, and plant roads (including access roads and haul roads).

NN. Specific Permit Modifications [15A NCAC 02Q .0501 and .0523]

1. For modifications made pursuant to 15A NCAC 02Q .0501(c)(2), the Permittee shall file a Title V Air Quality Permit Application for the air emission source(s) and associated air pollution control device(s) on or before 12 months after commencing operation.
2. For modifications made pursuant to 15A NCAC 02Q .0501(d)(2), the Permittee shall not begin operation of the air emission source(s) and associated air pollution control device(s) until a Title V Air Quality Permit Application is filed and a construction and operation permit following the procedures of Section .0500 (except for Rule .0504 of this Section) is obtained.
3. For modifications made pursuant to 502(b)(10), in accordance with 15A NCAC 02Q .0523(a)(1)(C), the Permittee shall notify the Director and EPA (EPA - Air Planning Branch, 61 Forsyth Street SW, Atlanta, GA 30303) in writing at least seven days before the change is made. The written notification shall include:
 - a. a description of the change at the facility;
 - b. the date on which the change will occur;
 - c. any change in emissions; and
 - d. any permit term or condition that is no longer applicable as a result of the change.

In addition to this notification requirement, with the next significant modification or Air Quality Permit renewal, the Permittee shall submit a page "E5" of the application forms signed by the responsible official verifying that the

application for the 502(b)(10) change/modification, is true, accurate, and complete. Further note that modifications made pursuant to 502(b)(10) do not relieve the Permittee from satisfying preconstruction requirements.

OO. **Third Party Participation and EPA Review** [15A NCAC 02Q .0521, .0522 and .0525(7)]

For permits modifications subject to 45-day review by the federal Environmental Protection Agency (EPA), EPA's decision to not object to the proposed permit is considered final and binding on the EPA and absent a third party petition, the failure to object is the end of EPA's decision-making process with respect to the revisions to the permit. The time period available to submit a public petition pursuant to 15A NCAC 02Q .0518 begins at the end of the 45-day EPA review period.

DRAFT

ATTACHMENT

List of Acronyms

AOS	Alternative Operating Scenario
BACT	Best Available Control Technology
Btu	British thermal unit
CAA	Clean Air Act
CAIR	Clean Air Interstate Rule
CEM	Continuous Emission Monitor
CFR	Code of Federal Regulations
DAQ	Division of Air Quality
DEQ	Department of Environmental Quality
EMC	Environmental Management Commission
EPA	Environmental Protection Agency
FR	Federal Register
GACT	Generally Available Control Technology
HAP	Hazardous Air Pollutant
MACT	Maximum Achievable Control Technology
NAA	Non-Attainment Area
NCAC	North Carolina Administrative Code
NCGS	North Carolina General Statutes
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO_x	Nitrogen Oxides
NSPS	New Source Performance Standard
OAH	Office of Administrative Hearings
PM	Particulate Matter
PM₁₀	Particulate Matter with Nominal Aerodynamic Diameter of 10 Micrometers or Less
POS	Primary Operating Scenario
PSD	Prevention of Significant Deterioration
RACT	Reasonably Available Control Technology
SIC	Standard Industrial Classification
SIP	State Implementation Plan
SO₂	Sulfur Dioxide
tpy	Tons Per Year
VOC	Volatile Organic Compound